UNITED STATES DISTRICT COURT DISTRICT OF MASSACHUSETTS

CIVIL ACTION NO. 04-CV-11825-NMG

G. DAVID IVERSON and ACCESS WITH SUCCESS, INC.

Plaintiffs,

v.

CITY OF BOSTON, Defendant.

CERTIFICATION PURSUANT TO LOCAL RULE 7.1(A)(2)

I hereby certify that undersigned counsel for the Defendant, City of Boston, discussed the above motion with Nicholas S. Guerrera via telephone on October 25, 2004, both in a good faith effort to resolve and narrow the issues presented by said motion, but that counsel were unable to confer or to resolve the issues prior to filing of the motion.

DEFENDANT, CITY OF BOSTON

Merita A. Hopkins Corporation Counsel

By its attorney:

/s/ Kate Cook

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